

#3



Page 1 of 4

Docket No. 50 P 3859.02

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### SYSTEM AND METHOD FOR PROVIDING PUBLICLY VENDED CONTENT VIA A WIRELESS NETWORK

the specification of which is attached hereto unless the following box is checked:

was filed on APRIL 4, 2000  
as United States Application Number or PCT International Application Number 09/542,139  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Foreign Application(s) if any, for Patent or Inventor's Certificate Filed Within 12 Months Prior to the Filing Date of This Application:

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u> (day, month, year)	<u>Priority Claimed</u> <u>Under 35 U.S.C. §119</u>
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO

#### All Foreign Application(s), if any, for Patent or Inventor's Certificate Filed More Than 12 Months Prior to the Filing Date of This Application:

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

.....

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u> (day, month, year)	<u>Priority Claimed</u> <u>Under 35 U.S.C. §119</u>	
_____	_____	_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO

**Prior Foreign Application(s)**

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §119 of any provisional application(s) listed below.

<u>U.S. Provisional Application Number</u>	<u>Filing Date</u>
60/181,129	February 8, 2000
60/180,990	February 8, 2000
60/180,987	February 8, 2000
60/180,985	February 8, 2000
60/181,148	February 8, 2000
60/181,144	February 8, 2000
60/181,145	February 8, 2000
60/180,992	February 8, 2000
60/180,991	February 8, 2000
60/181,105	February 8, 2000
60/181,128	February 8, 2000
60/180,988	February 8, 2000
60/181,147	February 8, 2000
60/181,127	February 8, 2000
60/180,984	February 8, 2000
60/180,993	February 8, 2000
Unk.	March 22, 2000
Unk.	March 27, 2000

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Date of Filing	Status (patented, pending, abandoned)
_____	_____	_____
_____	_____	_____

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter C. Toto, Reg. No. 36,293	Christopher M. Tobin	US 40,290
Jaime A. Siegel, Reg. No. 39,027	Richard Butt	US 40,932
Harold T. Fujii, Reg. No. 38,458	Hans R. Mahr	US 46,138
Gary Goates, Reg. No. 35,159	Thomas H. Ham	US 43,654
Frederick J. Zustak, U.S. Reg. No. 36,728	John L. Rogitz	US 33,549

Send Correspondence and direct telephone calls to:

John L. Rogitz  
 (619) 338-8075

Address all correspondence to:

John L. Rogitz  
 Rogitz & Associates  
 750 B Street, Suite 3120  
 San Diego, California 92101

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: **SATORU YUKIE**

Inventor's signature:

Date:

9/13/00

Residence:

17847 Toltec Court, San Diego, California 92127

Citizenship:

Japan

Post Office Address: Same

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

Full name of second inventor: **GINA C. EUBANKS**

Inventor's signature:

*Gina C. Eubanks*

Date:

*7/13/00*

Residence:

~~5056 Long Branch Avenue, San Diego, California 92107~~

*3682 Cliff Way, Oceanside, CA 92056*

Citizenship:

**United States of America**

Post Office Address: Same

Full name of third inventor:

**KEN AOKI**

Inventor's signature:

*Ken Aoki*

Date:

*7/14/00*

Residence:

**92 Magnolia Avenue, Tenafly, New Jersey 07670**

Citizenship:

**Japan**

Post Office Address: Same